

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte STEPHEN QUIRK and DAVID JOHN TYRRELL

Application 10/026,393

ORDER VACATING RETURN TO EXAMINER

On February 19, 2008, an Order Returning Undocketed Appeal to Examiner was entered. The order stated that five references listed under the Evidence Relied Upon section of the Examiner's Answer mailed August 24, 2007 were missing from the IFW file. Upon further review of IFW file, the five references were found as an attachment to the Appeal Brief entered April 16, 2007.

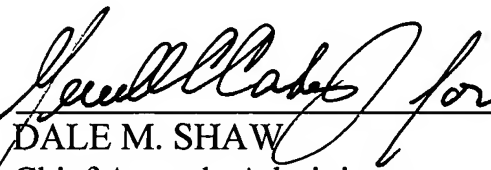
Accordingly, it is

ORDERED that the Order Returning Undocketed Appeal to Examiner entered February 19, 2008, is herein vacated.

Application 10/026,393

The application will be assigned an Appeal Number and subsequently assigned to a merit panel in due course.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:  for
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